



Freedom of Speech

Freedom of speech and expression, especially about political and other public issues, is the lifeblood of any democracy. Democratic governments do not control the content of most written and verbal speech. Thus democracies are usually filled with many voices expressing different or even contrary ideas and opinions.

According to democratic theorists, a free and open debate will usually lead to the best option being considered and will be more likely to avoid serious mistakes.

✚ Democracy depends upon a literate, knowledgeable citizenry whose access to information enables it to participate as fully as possible in the public life of their society and to criticize unwise or tyrannical government officials or policies. Citizens and their elected representatives recognize that democracy depends upon the widest possible access to uncensored ideas, data, and opinions.

✚ For a free people to govern themselves, they must be free to express themselves — openly, publicly, and repeatedly; in speech and in writing.

✚ The principle of free speech should be protected by a democracy's constitution, preventing the legislative or executive branches of government from imposing censorship.

✚ The protection of free speech is a so-called negative right, simply requiring that government refrain from limiting speech, unlike the direct action required of other so-called affir-

mative rights. For the most part, the authorities in a democracy are uninvolved in the content of written and verbal speech in the society.

✚ Protests serve as a testing ground for any democracy — thus the right to peaceful assembly is essential and plays an integral part in facilitating the use of free speech. A civil society allows for spirited debate among those in deep disagreement over the issues.

✚ Freedom of speech is a fundamental right, but it is not absolute, and cannot be used to justify violence, slander, libel, subversion, or obscenity. Consolidated democracies generally require a high degree of threat in order to justify banning speech which may incite violence, untruthfully harm the reputation of others, overthrow a constitutional government, or promote lewd behavior. Most democracies also forbid speech that incites racial or ethnic violence.

✚ The challenge for a democracy is one of balance: to defend freedom of speech and assembly while countering speech which truly encourages violence, intimidation, or subversion.